

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DARLENE BURRELL,

Plaintiffs,

v.

No. 1:11-cv-00393 SMV/RHS

JOHN GREEN, Individually and d/b/a
THUNDERBIRD HARLEY-DAVIDSON/BUELL a
sole proprietorship; HARLEY-DAVIDSON, INC. a
foreign corporation organized Wisconsin doing
business in New Mexico; HARLEY-DAVIDSON
MOTOR COMPANY, INC. a foreign corporation
organized in Texas and doing business in New
Mexico; SCOTT FISCHER ENTERPRISES, LLC a
foreign corporation organized in Florida and doing
business in New Mexico; MOTORSPORTS OF NEW
MEXICO, INC. a foreign for profit corporation
organized in Florida and doing business in New
Mexico; MOTORSPORTS OF ALBUQUERQUE,
LLC a foreign limited liability company organized in
Florida and doing business in New Mexico, and
MOTORCYCLE SAFETY FOUNDATION, INC., a
foreign nonprofit corporation doing business in New
Mexico, FRANK ALLEN and JEFFREY PIPER,

Defendants.

AMENDED STIPULATED ORDER GRANTING
UNOPPOSED MOTION TO DISMISS DEFENDANTS

THIS MATTER having come before the Court upon the Unopposed Motion by the Defendants to dismiss Defendants Harley-Davidson, Inc., Scott Fischer Enterprises, LLC, and Motorsports of New Mexico, Inc., without prejudice, and this Court being otherwise fully advised in the premises, FINDS that the Motion is well taken and should be granted.

IT IS THEREFORE ORDERED that Defendants Harley-Davidson, Inc., Scott Fischer Enterprises, LLC, and Motorsports of New Mexico, Inc., are hereby dismissed without prejudice.

IT IS FURTHER ORDERED that the dismissal shall convert to a dismissal with prejudice on April 30, 2012, unless, on or before that date, Plaintiff can demonstrate good cause to the Court upon the appropriate motion for bringing the dismissed parties back into the lawsuit.

IT IS FURTHER ORDERED that the case caption is amended and shall henceforth delete references to Defendant "John Green[e], individually and d/b/a Thunderbird Harley-Davidson/Buell, a sole proprietorship," Defendant "Harley-Davidson, Inc., a foreign corporation organized in Wisconsin doing business in New Mexico," Defendant "Scott Fischer Enterprises, LLC, a foreign corporation organized in Florida and doing business in New Mexico," and Defendant "Motorsports of New Mexico, Inc., a foreign for profit corporation organized in Florida and doing business in New Mexico."

IT IS SO ORDERED

A handwritten signature in black ink, appearing to read 'S. Vidmar', is written over a horizontal line.

STEPHAN M. VIDMAR
United States Magistrate Judge

SUBMITTED BY:

/s/ Paul T. Yarbrough

PAUL T. YARBROUGH
Butt Thornton & Baehr PC
Attorneys for Defendants

APPROVED BY:

/s/ Jesse Quackenbush

JESSE QUACKENBUSH
Will Ferguson & Associates
Attorneys for Plaintiff